

REMARKS

I. Introduction

Claims 1-20 are pending in the application. In the Office Action dated May 3, 2007, the Examiner rejected claims 1-4, 6-9, and 14-20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Pat. No. 5,544,250 ("Urbanski"). Further, claim 5 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Urbanski and claims 10-13 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Urbanski in view of U.S. Pat. No. 4,630,304 ("Borth"). In this Amendment, claims 1, 2, 4, 6, 8-12, 14-16, 18, and 20 have been amended.

II. Urbanski Does Not Render Claims 1, 4, 8, 14, and 18 Unpatentable

In the Amendment, the independent claims have been amended to clarify that a gain for a received-speech signal to be output by a speaker is adjusted based on the background sound extracted from an output signal from a microphone. The cited portions of Urbanski fail to teach this element.

Urbanski is directed to a noise suppression system and method therefore. Figure 2 and the portions of the disclosure of Urbanski that were cited by the Examiner teach adjusting a level of a signal based on noise that is detected in that same signal. Figure 2 and the portions of the disclosure of Urbanski that were cited by the Examiner do not teach adjusting a gain of a first signal (the received-speech signal to be output by a speaker) based on background noise extracted from a second signal (the output signal from a microphone).

For at least this reason, Urbanski as contemplated by the Examiner does not anticipate independent claims 1, 4, 8, 14, and 18, or any claim that depends on claims 1, 4, 8, 14, and 18. Similarly, for at least this same reason, Urbanski as contemplated by the Examiner does not render 5 unpatentable.

III. The Proposed Combinations Do Not Render Claim 10 Unpatentable

Independent claim 10 has been amended to recite a background sound level measurement means for measuring a level of an output from a background-sound microphone as a background-sound level, and a received-speech clarifying means for

adjusting a gain for received speech that is output from a speaker based on the background-sound level measured by the background sound level measurement means.

As discussed above, Figure 2 and the portions of the disclosure of Urbanski that were cited by the Examiner do not teach adjusting a gain of a first signal (the received-speech signal to be output by a speaker) based on background noise extracted from a second signal (the output signal from a microphone). Similarly, the cited portions of Both also does not teach adjusting a gain of a first signal (the received-speech signal to be output by a speaker) based on background noise extracted from a second signal (the output signal from a microphone). For at least this reason, the proposed combination of Urbanski and Both as contemplated by the Examiner necessarily does not render independent claim 10, or any claim that depends on claim 10, unpatentable.

VI. Conclusion

In view of the foregoing remarks and amendments to the claims, Applicants submit that the pending claims are in condition for allowance. Reconsideration is therefore respectfully requested. If there are any questions concerning this Response, the Examiner is asked to phone the undersigned attorney at (312) 321-4200.

Respectfully submitted,



Scott W. Brim
Registration No. 51,500
Attorney for Applicants

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, ILLINOIS 60610
(312) 321-4200